

**RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT**  
**Santa Ana College**  
**1530 W. 17<sup>th</sup> Street, Room U-102**  
**Santa Ana, California**

**Board of Trustees (Regular meeting)**

**Monday, December 10, 2012**

**MINUTES**

**SWEARING-IN CEREMONY AND RECEPTION**

Mr. Phillip Yarbrough called the meeting to order at 4:40 p.m.

The Pledge of Allegiance was led by Ms. Isabella Ramirez, niece of Claudia C. Alvarez.

Dr. Rodríguez recognized the attendance of public officials.

The Oath of Allegiance was administered to Claudia C. Alvarez by Tony Rackauckas, Orange County District Attorney; Arianna P. Barrios by Teresa “Tita” Smith, Mayor, City of Orange; Nelida Mendoza Yanez by Judge Salvador Sarmiento, and Jose Solorio by Senator Lou Correa, California State Senator, District 34.

Mr. Yarbrough declared a recess at 5:18 p.m. A reception followed.

**1.0 PROCEDURAL MATTERS**

1.1 Call to Order

The meeting was called to order at 5:50 p.m. by Mr. Phillip Yarbrough. Other members present were Ms. Claudia Alvarez, Ms. Arianna Barrios, Mr. John Hanna, Mr. Larry Labrado, Mr. Jose Solorio, Ms. Nelida Yanez, and Mr. Ryan Ahari.

Administrators present during the regular meeting were Mr. John Didion, Mr. Peter Hardash, Dr. Erlinda Martinez, Dr. Raúl Rodríguez, and Mr. Juan Vázquez. Ms. Anita Lucarelli was present as record keeper.

1.2 Pledge of Allegiance to the United States Flag

The pledge of allegiance occurred during the Installation Ceremony.

1.3 Presentation of District Annual Financial Audit

Auditor Rick Alonzo of Vavrinek, Trine, Day & Co., LLP, reviewed the RSCCD Independent Audit Report and rendered an unqualified opinion on the financial statements.

1.4 Approval of Additions or Corrections to Agenda

It was moved by Mr. Labrado, seconded by Mr. Solorio, and carried unanimously to approve addendums for Item 3.1 (Management/Academic Personnel) and Item 3.2 (Classified Personnel).

1.5 Public Comment

Ms. Ethel Jordan and Ms. Mary Walker spoke regarding the possible relocation of the Orange Education Center.

Ms. Marti Reiter, President, California School Employees Association, Chapter 579, congratulated recently-elected board members.

Mr. Morrie Barembaum congratulated recently-elected board members and spoke regarding change orders made by faculty members on construction projects.

1.6 Approval of Minutes

It was moved by Ms. Barrios, seconded by Mr. Ahari, and carried to approve the minutes of the regular meeting held November 13, 2012, with a vote of abstention from Ms. Alvarez, Mr. Solorio, and Ms. Yanez.

1.7 Approval of Consent Calendar

It was moved by Mr. Labrado, seconded by Ms. Alvarez, and carried unanimously to approve the recommended action on the following items (as indicated by an asterisk on the agenda) on the Consent Calendar, with the exception of Item 7.3 (Resolution No. 12-64 authorizing payment to Trustee Absent from Board Meetings) removed by Mr. Hanna:

5.1 Approval of Amendment #1 to OTA Agreement – County of Riverside

The board approved the agreement amendment with the County of Riverside in California.

5.2 Approval of New OTA Agreement – Los Angeles Unified School District

The board approved the agreement with Los Angeles Unified School District in California.

5.3 Approval of Instructional Agreement with SER, Jobs for Progress, Inc. for Basic Skills Training

The board approved the instructional agreement with SER, Jobs for Progress, Inc. for the program year 2012-2013.

1.7 Approval of Consent Calendar – (cont.)

- 5.4 Approval of Instructional Agreement with SER, Jobs for Progress, Inc. for Vocational Training  
The board approved the instructional agreement with SER, Jobs for Progress, Inc. for the program year 2012-2013.
- 5.5 Approval of New Courses and New Programs for 2013-2014 Santa Ana College Catalog  
The board approved the new courses and new programs for the 2013-2014 SAC catalog as presented.
- 5.6 Approval of New Credit and Non-Credit Curricula for 2013-2014 Santiago College Catalog  
The board approved the new credit and non-credit curricula for the 2013-2014 SCC catalog as presented.
- 6.1 Approval of Payment of Bills  
The board approved payment of bills as submitted.
- 6.2 Approval of Budget Transfers and Budget Increases/Decreases  
The board approved budget transfers, increases, and decreases during the month of October 2012.
- 6.3 Receive and Accept the District Audit Report for Fiscal Year ended June 30, 2012  
The board received and accepted the Rancho Santiago Community College District Audit Reports for the fiscal year ended June 30, 2012, as presented.
- 6.4 Adoption of Resolution No. 12-75 – Authorizing the Issuance of RSCCD 2013 General Obligation Refunding Bonds and Approval of Investment Banking Agreement; Preliminary Official Statement; Purchase Contract and Escrow Agreement  
The board adopted Resolution No. 12-75, authorizing the issuance of the Rancho Santiago Community College District (Orange County, California) 2013 General obligation Refunding Bonds, not to exceed \$90 million and approved refunding any of the remaining 2005 Series B Bonds and 2006 Series C Bonds and approved the Investment Banking Agreement; Preliminary Official Statement; Purchase Contract and Escrow Agreement. The board authorized the Vice Chancellor Business Operations/Fiscal Services to sign all required documents on behalf of the district as presented.
- 6.5 Approval of Consulting Services Agreement – Facilities Planning and Consulting Services  
The board approved the consulting services agreement for facilities planning and consulting services through June 30, 2013, as presented.

1.7 Approval of Consent Calendar – (cont.)

6.6 Approval of Agreement with Southland Industries for Planning and Energy Analysis

The board approved entering into an agreement with Southland Industries to perform the services as presented.

6.7 Approval of Energy Service Companies (ESCO)

The board approved the four highest-rated energy service companies: Southland Industries, ACCO Engineered Systems, Siemens, and Chevron Energy Solutions for creation of an ESCO pool to be used by the district for energy conservation projects.

6.8 Approval of DSA Inspector of Record, Testing & Inspection for Perimeter Site Improvements and Dunlap Hall Elevator Addition at Santa Ana College

The board approved an agreement with TYR I.O.R. to provide DSA-mandated inspection services for the perimeter site improvements and Dunlap Hall elevator addition projects at SAC as presented.

6.9 Approval of Request For Proposal (RFP) – Geotechnical, Materials Testing and Special Inspections Services at Santa Ana College

The board approved a contract with Geo-Advantec for geological technical services for the amount of Two Hundred and Ten Thousand Dollars (\$210,000) as presented.

6.10 Ratification of Award of Informal Bid #1201 – AT&T Electric and Data Equipment Installation at Santa Ana College

The board ratified the award of Bid #1201 to PMK Professional, Inc. in compliance with Board Policy 3311 as presented.

6.11 Approval of Amendment to Agreement with HMC Architects for Architectural/Engineering Services for Dunlap Hall at Santa Ana College

The board approved the HMC proposal for additional services and extending construction administration services for Dunlap Hall at SAC as presented.

6.12 Approval of Change Order #3 for Bid #1179 – Soccer Field and Football Facilities at Santa Ana College

The board approved change order #3 for Bid #1179 for Los Angeles Engineering Inc. for soccer field and football facilities at SAC as presented.

6.13 Approval to Reject all Bids – Bid #1187 Dunlap Hall Elevator Addition and Handrail at Santa Ana College

The board approved rejecting all bids in Bid #1187 Dunlap Hall Elevator Addition & Handrail Repairs at SAC as presented.

1.7 Approval of Consent Calendar – (cont.)

6.14 Adoption of Resolution No. 12-65 – Electricity for Loop Road Extension at Santiago Canyon College

The board adopted Resolution No. 12-65 for Dynalectric for Bid #1139 for electricity for the Loop Road Extension At SCC as presented.

6.15 Adoption of Resolution No. 12-68 – Earthwork for Humanities Building at Santiago Canyon College

The board adopted Resolution No. 12-68 for Southern California Grading for Bid #1151 for earthwork for the Humanities building at SCC as presented.

6.16 Adoption of Resolution No. 12-69 – Landscaping for Humanities Building at Santiago Canyon College

The board adopted Resolution No. 12-69 for Tropical Plaza Nursery, Inc. for Bid #1134 for landscaping for the Humanities building at SCC as presented.

6.17 Adoption of Resolution No. 12-70 – Plumbing for Loop Road Extension at Santiago Canyon College

The board adopted Resolution No. 12-70 for Interpipe Construction, Inc., for Bid #1140 for plumbing for the Loop Road Extension at SCC as presented.

6.18 Adoption of Resolution No. 12-71 – Landscaping for Loop Road Extension at Santiago Canyon College

The board adopted Resolution No. 12-71 for Tropical Plaza Nursery, Inc. for Bid #1134 for landscaping for the Loop Road Extension at SCC as presented.

6.19 Adoption of Resolution No. 12-72 – Earthwork for Loop Road Extension at Santiago Canyon College

The board adopted Resolution No. 12-72 for Southern California Grading for Bid #1151 for earthwork for the Loop Road Extension at SCC as presented.

6.20 Adoption of Resolution No. 12-73 – Concrete for Loop Road Extension at Santiago Canyon College

The board adopted Resolution No. 12-73 for Guy Yocom Construction, Inc. for Bid #1136 for concrete for the Loop Road Extension at SCC as presented.

6.21 Adoption of Resolution No. 12-74 – Concrete for Athletic/Aquatic Complex at Santiago Canyon College

The board adopted Resolution No. 12-74 for Guy Yocom Construction, Inc. for Bid #1136 for concrete for the Athletic/Aquatic complex at SCC as presented.

6.22 Approval of Architectural Services Agreement with Westberg+White - Phase 1 for Central Plant Energy Analysis/Schematic Design Phase at Santiago Canyon College

The board approved the architect services agreement with Westberg+White for Phase 1 for central plant energy analysis/schematic design phase at SCC as presented.

1.7 Approval of Consent Calendar – (cont.)

6.23 Approval of Change Order #6 for Bid #1136 – Concrete for Humanities Building at Santiago Canyon College

The board approved change order #6 for Bid #1136 for Guy Yocom Construction, Inc. for concrete for the Humanities building at SCC as presented.

6.24 Approval of Change Order #8 for Bid #1138 – Structural Steel for Humanities Building at Santiago Canyon College

The board approved change order #8 for Bid #1138 for Blazing Industrial Steel Inc. for structural steel for the Humanities building at SCC as presented.

6.25 Approval of Change Order #6 for Bid #1140 – Plumbing for Humanities Building at Santiago Canyon College

The board approved change order #6 for Bid #1140 for Interpipe Contracting, Inc. for plumbing for the Humanities building at SCC as presented.

6.26 Approval of Change Order #8 for Bid #1141 – HVAC for Humanities Building at Santiago Canyon College

The board approved change order #8 for Bid #1141 for West Tech Mechanical

6.27 Approval of Change Order #10 for Bid #1146 – Framing and Elevators for Humanities Building at Santiago Canyon College

The board approved change order #10 for Bid #1146 for Inland Building Construction Co. for framing and elevators for the Humanities building at SCC as presented.

6.28 Approval of Change Order #5 for Bid #1147 – Interiors for Athletic/Aquatic Complex at Santiago Canyon College

The board approved change order #5 for Bid #1147 for Inland Empire Architectural Services for interiors for the Athletic/Aquatic complex at SCC as presented.

6.29 Approval of Change Order #10 for Bid #1147 – Interiors for Humanities Building at Santiago Canyon College

The board approved change order #10 for Bid #1147 for Inland Empire Architectural Specialties for interiors for the Humanities building at SCC as presented.

6.30 Approval of Change Order #2 for Bid #1183 – IES Commercial, Inc. for Video Surveillance System

The board approved change order #2 for Bid #1183 for IES Commercial, Inc., for the district-wide video surveillance system as presented.

1.7 Approval of Consent Calendar – (cont.)

6.31 Approval of Independent Contractors

The board approved the following independent contractor: Nueva Vista Media for consulting services to produce a cutting edge engagement and outreach campaign to promote a new STEM App Development course at Santiago Canyon College to include HD videos and website to serve as digital resources and tools to highlight the dynamic world of App Development and career opportunities for developers in Southern California. Dates of service are December 11, 2012, through April 30, 2013. The fee is estimated at \$34,300.

6.32 Approval of Independent Contractors

The board approved the following independent contractor: Topgallant Group LLC for consulting services to assist in the Workforce Innovation Partnerships (WIP) grant to include development of curriculum for new media, multimedia and entertainment; facilitation of industry skills panel and new media roundtables; and outreach, promotion and recruitment of students and teachers. Dates of service are December 11, 2012, through May 31, 2013. The fee is estimated at \$46,000.

6.33 Approval of Purchase Orders

The board approved the purchase order listing for the period October 28, 2012, through November 17, 2012.

7.1 Approval of Resource Development Items

The board approved budgets, accepted grants, and authorized the chancellor or his designee to enter into related contractual agreements on behalf of the district for the following:

-Women's Business Center – Year 1 (District)	\$123,367
-CalWORKs/Work Study/TANF (SAC/SCC)	\$430,044
-SBA/CSUF – SBDC (District)	\$602,365

7.2 Authorization of Signatures

The board approved the revised list of authorized signatures.

2.0 **BOARD ORGANIZATION**

2.1 Annual Board Organization

It was moved by Mr. Labrado, seconded by Mr. Ahari, and carried unanimously to elect Ms. Barrios as the 2012-13 board president.

At this time, Mr. Yarbrough passed the gavel to Ms. Barrios to conduct the remainder of the meeting.

2.1 Annual Board Organization – (cont.)

On behalf of the board, Ms. Barrios thanked Mr. Yarbrough for his work and dedication as board president during 2011-2012. She then presented him with an engraved clock.

It was moved by Mr. Hanna, seconded by Mr. Labrado, and carried unanimously to elect Mr. Solorio as vice president

It was moved by Mr. Yarbrough, seconded by Mr. Ahari, and carried unanimously to elect Mr. Labrado as clerk.

Ms. Barrios designated Dr. Rodríguez as the board's secretary and Mr. Didion as the assistant secretary.

Ms. Barrios appointed chairs to the following committees:

- Board Facilities Committee: Larry Labrado
- Board Fiscal/Audit Committee: Phillip Yarbrough
- Board Legislative Committee: Claudia Alvarez
- Board Policy Committee: John Hanna

Ms. Barrios appointed board representatives to the following organizations:

- Representative to the RSCCD Foundation: Claudia Alvarez
- Representative to the Orange County Legislative Task Force: Arianna Barrios and Nelida Mendoza Yanez
- Representative to the Orange County School Boards Association: Jose Solorio
- Representative to the Nominating Committee on School District Organization: John Hanna
- Representative to the Oversight Board of the Successor Agency to the Former Community Redevelopment Agency of the City of Santa Ana: RSCCD Staff Member

It was moved by Mr. Yarbrough and seconded by Mr. Ahari to adopt the following board meeting schedule for 2013:

January 14

February 4, 19 (Board Planning Session)

March 11

April 15

May 6, 20

June 17

July 22

August 19

September 9, 23

October 14, 28

November 12 (Tuesday) (annual self-evaluation meeting & regular board meeting)

December 9

## 2.1 Annual Board Organization – (cont.)

Mr. Hanna proposed two amendments to the motion; the first amendment: the addition of one meeting to the calendar and that meeting to be held at one of the college campuses.

It was moved by Mr. Solorio, seconded by Mr. Yarbrough, and carried unanimously to include one additional meeting to the board meeting schedule for 2013 and have the meeting held at one of the college campuses.

After discussion, the motion to adopt the abovementioned amended board meeting schedule carried unanimously.

Mr. Hanna proposed a second amendment to the motion: move closed session to the end of the meeting.

Mr. Yarbrough asked the board to reconsider adopting the board meeting schedule for 2013 to include two amendments: the addition of one meeting to the calendar and that meeting to be held at one of the college campuses, and to move closed session to the end of the meeting.

It was moved by Mr. Solorio, seconded by Mr. Yarbrough, and carried unanimously to approve the addition of one meeting to the calendar and that meeting to be held at one of the college campuses, and to move closed session to the end of the meeting.

It was moved by Mr. Yarbrough, seconded by Mr. Ahari, and carried unanimously to reaffirm the following board policies: #2715 (Code of Ethics/Standards of Practice); #2735 (Board Member Travel); and #3211 (Investments).

## **3.0 INFORMATIONAL ITEMS AND ORAL REPORTS**

### 3.1 Report from Chancellor

Dr. Raúl Rodríguez, Chancellor, provided a report to the board which included a statement regarding Mr. Barembaum's earlier comments regarding change orders made by faculty members on construction projects. Dr. Rodríguez agrees with Mr. Barembaum's suggestion of surveying end users when new facilities are built.

### 3.2 Reports from College Presidents

The following college presidents provided reports to the board:

Dr. Erlinda Martinez, President, Santa Ana College  
Mr. Juan Vázquez, President, Santiago Canyon College

3.3 Report from Student Trustee

Mr. Ryan Ahari provided a report to the board.

3.4 Reports from Student Presidents

Ms. Edna Tobias, Student President, Santa Ana College, provided a report to the board.

Ms. Rachel Bulosan, Student President, Santiago Canyon College, provided a report to the board.

3.5 Reports from Academic Senate Presidents

The following academic senate presidents provided reports to the board:

Ms. Corinna Evett, Academic Senate President, Santiago Canyon College  
Mr. Raymond Hicks, Academic Senate President, Santa Ana College

**RECESS TO CLOSED SESSION**

The board convened into closed session at 7:16 p.m. to consider the following items:

1. Public Employment (pursuant to Government Code Section 54957[b][1])
  - a. Part-time Faculty
  - b. Classified Staff
  - c. Student Workers
  - d. Professional Experts
  - e. Administrator Appointments
    - (1) Director
2. Conference with Legal Counsel: Anticipated/Potential Litigation (pursuant to Government Code Section 54956.9[b]-[c]) (3 cases)
3. Public Employee Discipline/Dismissal/Release (pursuant to Government Code Section 54957[b][1])

**RECONVENE**

The board reconvened at 7:43 p.m.

Closed Session Report

Mr. Labrado reported the board discussed the aforementioned items, and the board voted unanimously to suspend Ms. Imelda Bernal, Administrative Clerk, for fifteen days; and terminate Mr. Jacob Martinez, Custodian effective September 24, 2012.

### Public Comment

There were no public comments.

## **4.0 HUMAN RESOURCES**

### **4.1 Management/Academic Personnel**

It was moved by Mr. Hanna, seconded by Mr. Labrado, and carried unanimously to approve the following action on the management/academic personnel docket:

- Approve Permission to Accept Outside Assignments
- Approve Appointments
- Approve Interim to Permanent Assignments
- Approve 2012-2013 Changes of Classification
- Approve Additional 2012-2013 FARSCCD Contract Salary Step Increases
- Approve 2012-2013 Permanent Part-time/Beyond Contract Salary Schedule B
- Approve Leaves of Absence
- Approve 2012-2013 Contract Extension Days
- Approve Part-time Hourly Hires/Rehires
- Approve Non-paid Instructors of Record

### **4.2 Classified Personnel**

It was moved by Mr. Hanna, seconded by Mr. Labrado, and carried unanimously to approve the following action on the classified personnel docket:

- Approve New Appointments
- Approve Professional Growth Increments
- Approve Changes in Salary Placement
- Approve Leaves of Absence
- Ratify Resignations/Retirements
- Approve Expiration of Terms
- Approve Temporary Assignments
- Approve Miscellaneous Positions
- Approve Instructional Associates/Associate Assistants
- Approve Community Service Presenters and Stipends
- Approve Volunteers
- Approve Student Assistant Lists

## **5.0 INSTRUCTION**

All items were approved as part of Item 1.7 (Consent Calendar).

## **6.0 BUSINESS OPERATIONS/FISCAL SERVICES**

All items were approved as part of Item 1.7 (Consent Calendar).

## 7.0 GENERAL

Items 7.1 and 7.2 were approved as part of Item 1.7 (Consent Calendar).

### 7.3 Adoption of Resolution No. 12-64 authorizing payment to Trustee Absent from Board Meetings

It was moved by Mr. Yarbrough and seconded by Mr. Solorio to authorize payment to R. David Chapel for his absence from the November 13, 2012, board meeting due to personal business.

It was moved by Mr. Hanna and seconded by Mr. Ahari to postpone action on this item until the next board meeting. Discussion ensued. It was determined that before the next board meeting Dr. Chapel be asked to provide an explanation of the personal business attended to and if it met the guidelines stipulated in the abovementioned resolution. The motion carried with one nay vote from Mr. Labrado.

### 7.4 Adoption of Resolution No. 12-76 in honor of Police and Fire Departments of the City of Orange

It was moved by Mr. Yarbrough, seconded by Mr. Labrado, and carried unanimously to adopt Resolution No. 12-76.

### 7.5 List of 2013 Conferences and Legislative Executive Visits for Board Members

Board Policy 2735 and a list of conferences and legislative executive visits that board members may wish to attend was provided as information.

### 7.6 Review of RSCCD Board of Trustees Self-Evaluation

The Board of Trustees reviewed the evaluation responses and completed the self-evaluation process for 2011.

### 7.7 Board Member Comments

Board members welcomed new board members and congratulated the new board officers.

Mr. Hanna commended the board on its commitment to diversity.

Mr. Hanna asked the chancellor and college presidents to keep board members informed of preparations, including planning and budget, for future site visits from an accreditation team.

Mr. Hanna informed the board that Supervisor Bill Campbell is stepping down from his position at the County.

Mr. Hanna left the meeting at this time due to a prior commitment.

Ms. Alvarez, Mr. Solorio, and Ms. Yanez expressed gratitude for the warm welcome and indicated they are looking forward to serving on the board.

Mr. Yarbrough gave a brief report on the Economic Forecast conference at Chapman University he recently attended.

Mr. Yarbrough indicated he recently spoke with Supervisor Todd Spitzer in an effort to resolve issues with the County.

Mr. Solorio asked that staff provide a report on the process that occurred in eliminating the 5-day grace period and initiating the 72-hour drop period to pay enrollment fees.

Ms. Yanez asked that she be given a tour of Santiago Canyon College and Santa Ana College.

Ms. Barrios thanked her husband, parents, and family that attended the installation ceremony.

Mr. Ahari and Ms. Barrios provided a report on the December 6, 2012, Orange County Community College Legislative Task Force meeting.

## **8.0 ADJOURNMENT**

The next regular meeting of the Board of Trustees will be held on January 14, 2013.

There being no further business, Ms. Barrios declared this meeting adjourned at 7:58 p.m.

Respectfully submitted,

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Raúl Rodríguez, Ph.D.  
Chancellor

Approved: \_\_\_\_\_  
Clerk of the Board

Minutes approved: January 14, 2013